

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, March 22, 2011, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Vice-Mayor Benjamin K. Mallicote
Alderman Larry A. Munsey
Alderman Tom C. Parham
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** City Recorder Jim Demming.
- II.B. **INVOCATION:** By Kerry Doyal, Pastor, Grace Bible Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Valerie Joh and Alderman Charles K. Marsh, Jr.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Mayor Phillips recognized County Commissioner James Brotherton and Board of Mayor and Alderman candidates Mike McIntire, Tom Segelhorst and Mike Locke.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Munsey/Mallicote, to approve minutes for the following meetings:

- A. February 28, 2011 Regular Work Session
- B. March 1, 2011 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Montvue Road Annexation and Consideration of a Resolution Adopting the Plan of Services** (AF: 61-2011). City Planner Ken Weems presented this item, describing the seven parcels and noting the Planning Commission has sent a favorable recommendation for the annexation.

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PUBLIC COMMENT ON ITEM VI.AA.1. None.

Motion/Second: Parham/Munsey, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE MONTVUE ROAD ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Munsey, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG SHIPLEY FERRY ROAD WEST AND MONTVUE ROAD TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-185, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE MONTVUE ROAD ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Donations, Classes and Merchandise (AF: 59-2011). Mayor Phillips thanked the individuals and organizations for their donations.

Motion/Second: Shupe/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY APPROPRIATING FUNDS RECEIVED FROM DONATIONS AND SALES FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Change the Interest Rate for Installment Payments in the Linville Street Lighting Improvement District No. 1 from Six Percent to Three Percent (AF: 71-2011).

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Motion/Second: Shupe/Munsey, to pass:

AN ORDINANCE AMENDING ORDINANCE NO. 5814 AND RESOLUTION NO. 2011-155 REDUCING THE INTEREST RATE CHARGED ON INSTALLMENT PAYMENTS FROM SIX PERCENT TO THREE PERCENT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

3. Consideration of an Ordinance to Appropriate Funds Received at the Kingsport Animal Shelter (AF: 65-2011). City Manager Campbell noted the new organization has taken longer to come together than originally anticipated. The Animal Shelter Board has had two meetings so far and they are getting set up.

Motion/Second: Parham/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE ANIMAL SHELTER OPERATIONS AND DONATIONS FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Approving a Lease Agreement with the Intercity Ballet Theatre of Kingsport for Office Space in the V.O. Dobbins, Sr. Complex (AF: 52-2011).

Motion/Second: Munsey/Shupe, to pass:

Resolution No. 2011-186, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE INTERCITY BALLET THEATRE OF KINGSFORT FOR CERTAIN SPACE IN THE V.O. DOBBINS COMPLEX LOCATED IN THE CITY OF KINGSFORT

Passed: All present voting "aye."

2. Consideration of a Resolution to Authorize the Mayor to Execute All Documents Necessary to Apply for and Receive a Tennessee Department of Transportation Safe Routes to Schools Grant (AF: 67-2011). City Manager Campbell stated this application was for sidewalks to complete the network to Roosevelt Elementary School. He further noted there was no City match for this grant. Mayor Phillips commented that it could still take 10 months to two years for the sidewalk to be completed. Alderman Parham commended the efforts of Morris Baker, Grants and Government Relations Specialist. He also requested a summary of his grant accomplishments at a future meeting.

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Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-187, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) SAFE ROUTES TO SCHOOL GRANT

Passed: All present voting "aye."

3. Consideration of a Resolution Approving a Lease Agreement with the Douglass Alumni Association Office Space in the V.O. Dobbins, Sr. Complex (AF: 54-2011).

Motion/Second: Munsey/Shupe, to pass:

Resolution No. 2011-188, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE DOUGLASS ALUMNI ASSOCIATION FOR CERTAIN SPACE IN THE V.O. DOBBINS COMPLEX LOCATED IN THE CITY OF KINGSPORT

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing a Final Change Order to the Kingsport Housing and Redevelopment Authority Riverview Community Center Project for Various Changes and Additions and Authorizing the Mayor to Sign All Documents Necessary to Execute the Change Order (AF: 64-2011).

Motion/Second: Parham/Munsey, to pass:

Resolution No. 2011-189, A RESOLUTION APPROVING CHANGE ORDER #4 TO THE CONTRACT WITH J.A. STREET & ASSOCIATES, INC. FOR THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY RIVERVIEW COMMUNITY CENTER ADDITION TO THE V.O. DOBBINS, SR. COMPLEX AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Area Agency on Aging Grant Funds for Fiscal Year 2011-2012 (AF: 58-2011).

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2011-190, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE GRANT FUNDING FOR FISCAL YEAR 2011-2012 FROM THE AREA AGENCY ON AGING AND DISABILITY

Passed: All present voting "aye."

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6. Consideration of a Resolution Awarding the Bid for the Installation of Walk-In Freezers for School Nutrition Services to Strategic Equipment & Supply Corp. and Authorizing the Mayor to Sign All Applicable Documents (AF: 68-2011).

Motion/Second: Parham/Munsey, to pass:

Resolution No. 2011-191, A RESOLUTION AWARDING THE BID FOR PURCHASE AND INSTALLATION OF WALK-IN FREEZERS FOR SCHOOL NUTRITION SERVICES TO STRATEGIC EQUIPMENT AND SUPPLY CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

7. Consideration of a Resolution Approving the City of Kingsport to Allow the Kingsport Fire Department to Obligate Resources to District, State and National Emergency Incident Responses (AF: 60-2011). Fire Chief Dye presented this item, stating this was an effort to build a team for the Tri-Cities region that is certified and accredited by the State of Tennessee. This specialized team would be available to respond should a major incident occur in the state, but would mainly cover east Tennessee. This would also allow Kingsport to receive up to \$100,000 a year in Homeland Security funds. Mayor Phillips voiced his concern about what fire fighters do other than fighting fire and is afraid this will come back to haunt the city.

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2011-192, A RESOLUTION AUTHORIZING THE CITY MANAGER TO DEPLOY MEMBERS OF THE KINGSPORT FIRE DEPARTMENT TO AND EQUIPMENT FOR HOMELAND SECURITY DISTRICT 1, STATE AND NATIONAL EMERGENCY INCIDENT RESPONSES AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Execute a Rights-of-Way Easement with Kingsport Power Company (AF: 62-2011). City Manager Campbell noted this agreement was for the Farmer's Market.

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2011-193, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER COMPANY

Passed: All present voting "aye."

9. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for Nine School Buses to Central States Bus Sales (AF: 63-2011). City Manager Campbell gave details on this item, noting the funding sources for these

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vehicles. He further stated Tennessee restrictions do not allow for buses to be used after 17 years, no matter what the mileage is. The new buses will have seatbelts.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-194, A RESOLUTION AWARDED THE BID FOR PURCHASE OF NINE SCHOOL BUSES TO CENTRAL STATES BUS SALES AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

10. Consideration of a Resolution to Accept a Donation of a Carousel Frame from Beardsley Zoo (AF: 53-2011). Mayor Phillips commented there was not a way to appropriately say thank you to the Beardsley Zoo, as well as to the carvers and Still Transfer Company for their efforts toward the carousel project. He did note that Bonnie MacDonald has sent a thank you letter to the zoo.

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2011-195, A RESOLUTION ACCEPTING A DONATION OF A CAROUSEL FRAME FROM BEARDSLEY ZOO IN BRIDGEPORT, CONNECTICUT FOR THE CAROUSEL PROJECT

Passed: All present voting "aye."

11. Consideration of a Resolution Authorizing the Mayor to Approve the Agreement between the City of Kingsport and the Lynn Garden Optimist Club (AF: 56-2011). Assistant to the City Manager Chris McCartt presented this item, noting there were two agreements, one for use of the fields and one for the concessions. He further clarified for Alderman Munsey that the terms and conditions were essentially the same as the previous year.

Motion/Second: Munsey/Shupe, to pass:

Resolution No. 2011-196, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO TWO AGREEMENTS WITH THE LYNN GARDEN OPTIMIST CLUB RELATED TO THE USE OF THE ATHLETIC FIELDS AND CONCESSION STAND OPERATIONS AT THE LYNN VIEW COMMUNITY CENTER

Passed: All present voting "aye."

12. Consideration of a Resolution Awarding the Bid for the Purchase of Various Water and Sewer Maintenance Items to HD Supply Waterworks, Consolidated Pipe & Supply, G & C Supply and Southern Pipe and Supply (AF: 70-2011). City Manager Campbell provided details on this item, stating this was a general bid for all the parts needed by the water department. He further explained that these are potential purchases only to be used as needed. Responding to a question from Vice-Mayor Mallicote, Public Works Director Ryan McReynolds stated the reason there were multiple bidders, was because not every bidder stocks every item.

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Motion/Second: Munsey/Parham, to pass:

Resolution No. 2011-197, A RESOLUTION AWARDED THE BID FOR PURCHASE OF VARIOUS WATER AND SEWER MAINTENANCE ITEMS TO HD SUPPLY WATERWORKS, CONSOLIDATED PIPE & SUPPLY, G & C SUPPLY AND SOUTHERN PIPE & SUPPLY AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

13. Consideration of a Resolution Authorizing the Mayor to Execute a Lease on Real and Personal Property to the Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. (AF: 66-2011). City Manager Campbell gave details on this item, noting that two centers were going to be operational until a new one is designated. The City will lease its building on Idle Hour Road to the new center and Sullivan County will do the same.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-198, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE SULLIVAN COUNTY-BLUFF CITY-KINGSPORT ANIMAL CONTROL CENTER, INC. FOR CERTAIN REAL AND PERSONAL PROPERTY IN THE CITY OF KINGSPORT; AND APPROVING THE DONATION OF CERTAIN SUPPLIES

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of an Appointment to the Kingsport Housing & Redevelopment Authority Board of Commissioners (AF: 69-2011).

Motion/Second: Shupe/Parham, to approve the following:

APPOINTMENT OF MS. SANDRA BLY TO SERVE A FIVE-YEAR TERM ON THE **KINGSPORT HOUSING & REDEVELOPMENT AUTHORITY BOARD OF COMMISSIONERS**, EFFECTIVE IMMEDIATELY AND EXPIRING FEBRUARY 28, 2016.

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell asked Public Works Director Ryan McReynolds to discuss the upcoming Spring Clean-up. During the first and second week of April, citizens can place garbage that doesn't fit into the cart curbside for pick-up. He also provided details on the roll-off service "Weekend Warriors" that will be offered soon. This program allows citizens to rent a box for their driveway for up to two or three months to place excess garbage. Hazardous materials will not be accepted and there is a drop off for those

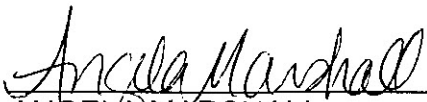
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items on Brookside Drive. The rental rates are still being finalized. Assistant City Manager for Development Jeff Fleming gave an update on the population numbers just released by the Census Bureau regarding the 2010 Census. According to the census, the official population as of April 1, 2010 is 48,205. Since the 2000 Census count of 44,905, 50% of the increase can be attributed to annexations, and the other 50% is a result of natural growth. In regards to the recent annexations, the current population, as released by the federal government every year, is 49,700 and by December 31, 2011 the population will be around 52,000. This number is significant in regards to stated share revenue received by the City.

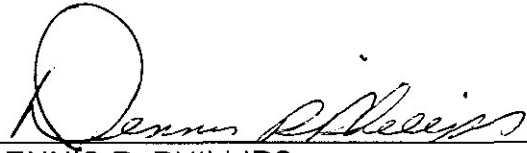
B. MAYOR AND BOARD MEMBERS. Alderman Shupe commented on the opening of the Farmer's Market in April. Assistant to the City Manager Chris McCartt gave a progress report on this project and answered questions from the Board. He noted the opening would be delayed a couple of weeks to mid-April because the Food City lot was not complete.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:00 p.m.



ANGELA MARSHALL
Deputy City Recorder



DENNIS R. PHILLIPS
Mayor